

We should be spending more to help these communities clean up.

We should also be enacting common sense reforms like requiring secondary containment for underground storage tanks.

We should be requiring more frequent inspections of all underground tanks.

And we shouldn't be taking steps like those in the energy bill that would weaken "polluter pay" laws.

The energy bill as currently drafted weakens EPA's ability to recover the money they spend to clean up sites.

We have to continue holding polluters accountable for the damage they cause.

So while I will support this bill, I believe we should be doing much more.

Ms. SOLIS. Mr. Speaker, I rise today in support of cleanup of leaking underground storage tanks and this bill to extend part of the funding source for this program. However, I am concerned that this resolution only guarantees this funding source through October 1, 2005.

Leaking gasoline tanks are a major problem in this country. There are currently 136,000 leaking tanks across the country. More than 36,000 of these are in California—more than 100 currently leaking in my district alone. Seventy-five percent of these leaking tanks could release MTBE into our groundwater supplies. This problem is not going away.

The EPA estimates that over the next 10 years 120,000 more tanks could leak. That means 120,000 more communities polluted—harming their soil and water and public health and leaving communities with the cleanup bill.

To put it in perspective, cleanup from MTBE alone could cost at least \$28 billion.

So while I support this legislation, the cleanup problem is much bigger than a 6 month extension—our communities and states deserve a real funding commitment.

Ironically, while we are here today talking about ensuring funding for 6 months, the current energy bill, like last session's bill, threatens to gut the program.

Last year language was inserted in the energy bill which would largely gut this program which our communities and water providers depend on.

Changes to this program in the energy bill restrict the Environmental Protection Agency from getting money for cleanups from polluters—therefore rewarding polluters at the expense of working families, communities and states.

Taxpayers should not shoulder the burden of cleanup costs.

Language in the energy bill also fails to require that tanks be inspected every 3 years as recommended by the General Accounting Office. In fact, under the energy bill, it could be six years before these tanks are inspected.

Adopting more stringent inspection requirements is a common sense proposal, one that will save taxpayers money and prevent unnecessary threats to our water supplies.

Finally, the energy bill fails to require secondary containment.

More than 20 states already require at least secondary containment because these states recognize the savings to taxpayers, water providers and redevelopers from preventing contaminated soil and water.

So while we are here today committing ourselves to a 6 month funding of the program, we are also preparing to unnecessarily gut important principles.

This program helps protect the health and water security of my constituents.

Changes to this program should not be done haphazardly in the energy bill. We owe it to our constituents and communities who deal with leaking tanks to not shove random provisions into legislation.

Mr. Speaker I support this bill and urge my colleagues to support it to guarantee at least some funding for cleanup, but I also urge my colleagues to seriously reject the changes to the Leaking Underground Storage Tank program included in the energy bill.

Mr. GILLMOR. Mr. Speaker, I rise in reluctant support of H.R. 1270, legislation to extend, for 6 months, the tax that finances the Leaking Underground Storage Tank, LUST, Trust Fund.

As chairman of the House Energy and Commerce Subcommittee on Environment and Hazardous Materials, I have spent the last couple of Congresses getting familiar with the LUST program. I think the goal behind this program—and its tax—is important. The LUST program, though well intentioned, is unable to realize its full potential because of the way Congress operates it.

Congress first initiated this tax in 1986 primarily through a 0.1 cent-per-gallon motor fuels tax. The LUST tax generated roughly \$150 million per year over a 9-year period, and more than \$1.6 billion was collected for the fund before the taxing authority expired in December 1995. Congress reinstated the LUST tax through the Taxpayer Relief Act of 1997, Public Law 105-34, from October 1, 1997, through March 31, 2005. In fiscal year 2004, the LUST tax generated \$192.9 million in revenues, and the fund earned \$66.7 million in interest on an accrual basis. At the end of 2004, the fund's net assets were \$2.33 billion.

This is all well and good, but Congress has had a history of making annual appropriations in an amount that is close to the amount of interest that the LUST Trust Fund earns each year. In fact, the appropriated amount is much less than the annual revenues created each year by this tax. The LUST Trust Fund has been used by Presidents and Members of Congress in both parties to balance their books rather than protect and clean up groundwater pollution that was released from these tanks.

Mr. Speaker, myopic views of LUST have helped to create the program deficits facing LUST and extending the LUST tax cannot be thoughtfully considered unless it is looked at as a whole. Several experts, including the Government Accountability Office, have testified before the Energy and Commerce Subcommittee on Environment and Hazardous Materials that the LUST Trust Fund should be spent in greater quantity and that these amounts should help encourage inspection requirements, operator training, and more cleanup. These are important LUST program reforms that must be secured in order to make the justification of a LUST Trust Fund, and the tax that finances it, solid public policy arguments.

Again, while I am not going to oppose this bill on this day, it is essential that prior to another extension of the LUST tax that, at a minimum, reform to the LUST program be coupled with any extension of the tax. These reforms have passed the House on two occasions last year and are currently contained in the energy bill discussion draft currently before

the Committee on Energy and Commerce. I am hopeful we can get these reforms enacted soon.

Mr. STARK. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. CHOCOLA. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Indiana (Mr. CHOCOLA) that the House suspend the rules and pass the bill, H.R. 1270.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. CHOCOLA. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

EXPRESSING GRAVE CONCERN OF CONGRESS REGARDING PASSAGE OF ANTI-SECESSION LAW BY NATIONAL PEOPLE'S CONGRESS OF PEOPLE'S REPUBLIC OF CHINA

Mr. SMITH of New Jersey. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 98) expressing the grave concern of Congress regarding the recent passage of the anti-secession law by the National People's Congress of the People's Republic of China.

The Clerk read as follows:

H. CON. RES. 98

Whereas on December 9, 2003, President George W. Bush stated it is the policy of the United States to "oppose any unilateral decision, by either China or Taiwan, to change the status quo";

Whereas in the past few years, the Government of the United States has urged both Taiwan and the People's Republic of China to maintain restraint;

Whereas the National People's Congress of the People's Republic of China passed its anti-secession law on March 14, 2005, which constitutes a unilateral change to the status quo in the Taiwan Strait;

Whereas the passage of China's anti-secession law escalates tensions between Taiwan and the People's Republic of China and is an impediment to cross-strait dialogue;

Whereas the purpose of China's anti-secession law is to create a legal framework for possible use of force against Taiwan and mandates Chinese military action under certain circumstances, including when "possibilities for a peaceful reunification should be completely exhausted";

Whereas the Department of Defense's Report on the Military Power of the People's Republic of China for Fiscal Year 2004 documents that, as of 2003, the Government of the People's Republic of China had deployed approximately 500 short-range ballistic missiles against Taiwan;

Whereas the escalating arms buildup of missiles and other offensive weapons by the People's Republic of China in areas adjacent to the Taiwan Strait is a threat to the peace and security of the Western Pacific area;

Whereas given the recent positive developments in cross-strait relations, including the

Lunar New Year charter flights and new proposals for cross-strait exchanges, it is particularly unfortunate that the National People's Congress adopted this legislation;

Whereas since its enactment in 1979, the Taiwan Relations Act (22 U.S.C. 3301 et seq.), which codified in law the basis for continued commercial, cultural, and other relations between the people of the United States and the people of Taiwan, has been instrumental in maintaining peace, security, and stability in the Taiwan Strait;

Whereas section 2(b)(2) of the Taiwan Relations Act declares that "peace and stability in the area are in the political, security, and economic interests of the United States, and are matters of international concern";

Whereas, at the time the Taiwan Relations Act was enacted into law, section 2(b)(3) of such Act made clear that the United States decision to establish diplomatic relations with the People's Republic of China rested upon the expectation that the future of Taiwan would be determined by peaceful means;

Whereas section 2(b)(4) of the Taiwan Relations Act declares it the policy of the United States "to consider any effort to determine the future of Taiwan by other than peaceful means, including by boycotts or embargoes, a threat to the peace and security of the Western Pacific area and of grave concern to the United States";

Whereas section 2(b)(6) of the Taiwan Relations Act declares it the policy of the United States "to maintain the capacity of the United States to resist any resort to force or other forms of coercion that would jeopardize the security, or the social or economic system, of the people on Taiwan"; and

Whereas any attempt to determine Taiwan's future by other than peaceful means and other than with the express consent of the people of Taiwan would be considered of grave concern to the United States: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that—

(1) the anti-secession law of the People's Republic of China provides a legal justification for the use of force against Taiwan, altering the status quo in the region, and thus is of grave concern to the United States;

(2) the President of the United States should direct all appropriate officials of the United States Government to reflect the grave concern with which the United States views the passage of China's anti-secession law in particular, and the growing Chinese military threats to Taiwan in general, to their counterpart officials in the Government of the People's Republic of China;

(3) the Government of the United States should reaffirm its policy that the future of Taiwan should be resolved by peaceful means and with the consent of the people of Taiwan; and

(4) the Government of the United States should continue to encourage dialogue between Taiwan and the People's Republic of China.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. SMITH) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. SMITH).

GENERAL LEAVE

Mr. SMITH of New Jersey. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the concurrent resolution under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today to voice strong support for a resolution authored by the gentleman from Illinois (Mr. HYDE) which expresses the grave concern of the Congress over the adoption by the National People's Congress of the People's Republic of China on March 14 of an anti-secession law. Beijing's ill-advised action constitutes not only a unilateral change in the current status quo in the Taiwan Strait, but also provides a legal framework for military action against Taiwan when "possibilities for a peaceful reunification have been completely exhausted."

Adoption of this law followed upon by a threat, made in China's Defense Policy White Paper, released on December 17, 2004, to "crush" any attempt to split Taiwan from China, noting its "sacred responsibility" of the People's Liberation Army to stop any attempt at splitting the country.

We are all aware as to how seriously the PLA takes its "sacred responsibility" to further the goals dictated by the Communist regime in Beijing. When the PLA was presented with a clear choice between serving the people or obeying the orders of the leaders of the Communist party on June 4, 1989, a day of infamy, the tanks rolled into Tiananmen Square and Chinese blood was spilled by fellow Chinese.

Thus, we should not assume that the attempt in the anti-secession law to provide a legal justification for the use of force against the people of Taiwan is an idle threat. History shows that this is not the case.

Mr. Speaker, President Bush, in welcoming the Chinese Premier to Washington on December 9, 2003, made Chinese policy crystal clear with regard to this issue. President Bush stated, "We oppose any unilateral decision by either China or Taiwan to change the status quo." At the time the President spoke firmly concerning attempts by Taiwan's President to unilaterally change the status quo.

Well, what is good for the goose is good for the gander. Beijing's unilateral attempt to change the status quo must be vigorously opposed by both the administration and the Congress. The Congress, in particular, is obliged, under commitments made in the Taiwan Relations Act, not to remain silent when confronted by this challenge from Beijing. The Taiwan Relations Act clearly and unequivocally states: "It is the policy of the United States to consider any effort to determine the future of Taiwan by other than peaceful means a threat to the peace and security of the Western Pacific area and of grave concern to the United States."

Beijing's new anti-secession law clearly qualifies as such an effort to determine the future of Taiwan by other

than peaceful means and thus represents a grave concern to the United States of America.

Mr. Speaker, Beijing's reckless action comes at a time when there were signs of renewed thawing in the cross-strait relations which gave some cause for optimism over the ultimate peaceful resolution of this issue.

The commencement of the Lunar New Year's holiday of cross-strait charter flights, the continued movement of Taiwanese to the mainland, increasing cross-strait commercial investment, and the arrival of mainland representatives in Taipei to attend the funeral of a leading negotiator for Taiwan on cross-strait issues were all extremely positive signs.

It is unfortunate, however, that Beijing has chosen once again to be its own worst enemy by dissipating all the goodwill generated through such gestures by stubbornly pursuing this provocative and ill-timed measure.

Contrary to the observation of Chairman Mao, cross-strait issues will never be solved by resorting to the barrel of a gun.

Mr. Speaker, I reserve the balance of my time.

Mr. LANTOS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of this resolution, and first I would like to express my appreciation to the gentleman from Illinois (Mr. HYDE) for introducing this important and timely resolution and for moving it so expeditiously to the floor. I also want to express my gratitude for his support to the gentleman from New Jersey (Mr. SMITH). I am proud to be the lead Democratic sponsor of this important measure.

Mr. Speaker, I just returned from visiting both China and Taiwan a few weeks ago. I cautioned in both places prudence, moderation, stability, no precipitous action, no turmoil. The lives of the people of Taiwan and the People's Republic of China are increasingly intertwined. More than half a million Taiwanese now live on the mainland. Nonstop charter flights between Taiwan and the mainland were launched during the Lunar New Year, and both sides are actively exploring new options for a variety of exchanges across the Taiwan Strait.

This is the main reason why the Chinese Government's decision to move forward with the so-called anti-secession law is so profoundly unfortunate. By codifying the potential use of force against Taiwan, Beijing has thrown a bucket of ice water on the warming relations that had been developing between the people of China and Taiwan.

The Chinese Government should be using their best and brightest young leaders to build new bridges between the people of China and Taiwan. Instead, the government has bowed to pressure from hard-line elements in the Chinese military to ratchet up the pressure on Taipei.

Passage of this law, Mr. Speaker, is a wasted opportunity. The anti-secession

law mandates military action against Taiwan when "the possibilities for a peaceful reunification would be completely exhausted." In other words, whenever Beijing decides there is no longer any point in talking to Taipei, the new anti-secession law requires the Chinese military to take action against Taiwan.

Mr. Speaker, the passage of the anti-secession law is a threatening move by Beijing which will undoubtedly heighten tensions across the Taiwan Strait. It will decrease the chance that either side will be willing to resolve differences peacefully. The law is reprehensible, and it should be reconsidered by the National People's Congress in Beijing.

Mr. Speaker, both Taipei and Beijing have a paramount responsibility to maintain restraint and to avoid any action which could increase tensions across the Taiwan straits. With passage of this law, Beijing has failed this critically important duty, and it is my profound hope that China's top leaders will find a way to repair the damage that the law's adoption has caused.

I strongly urge my colleagues to vote for this resolution.

Mr. Speaker, I reserve the balance of my time.

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Mr. SMITH of New Jersey. Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio (Mr. CHABOT), a distinguished member of the Committee on International Relations, chairman of the Subcommittee on the Constitution of the Committee on the Judiciary, and cochair of the House Taiwan Caucus.

Mr. CHABOT. I very much thank the gentleman for yielding me this time.

I want to first, Mr. Speaker, commend the distinguished gentleman from Illinois (Mr. HYDE), chairman of the full committee, for bringing this timely and important resolution to the floor. The so-called anti-secession legislation adopted by the National People's Congress of the People's Republic of China will unilaterally change the status quo in the Taiwan Strait, in direct contradiction of the policy of the United States Government.

The Taiwan Relations Act, enacted by this Congress in 1979, declares that peace and stability in the Taiwan Strait are in the political, security and economic interests of the United States. The legislation adopted by the Chinese People's Congress which states that China "shall employ nonpeaceful means" in the event of Taiwan's moving toward independence clearly threatens that peace and stability.

The people of Taiwan want peace. Taiwan's democratically elected President, Chen Shui-bian, whom I have met with many times, has repeatedly shown his determination to maintaining peace, stability and the status quo across the Taiwan Strait, and the Beijing dictatorship has responded by pointing over 600 missiles at Taiwan,

and now by enacting a threatening anti-secession law.

The future of Taiwan should be determined by the people of Taiwan. Any effort by the Communist leadership in the People's Republic of China to deny a free people in Taiwan a safe, prosperous and democratic future should be condemned.

Mr. Speaker, this is a very important issue. I am very pleased that it is being taken up by the Congress here today. It deserves the utmost attention. I want to thank again the gentleman from Illinois (Mr. HYDE) for bringing this forward. I also want to thank the gentleman from California (Mr. LANTOS) for whom I have great respect and has been a leader in this area for many years and the gentleman from New Jersey (Mr. SMITH) as well.

Mr. LANTOS. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself 30 seconds to thank the committee members and the staff, especially Dennis Halpin, Sarah Tillemann and Peter Yeo, for their work on this resolution and Dan Freeman, who is our counsel and parliamentarian, for his work, and his expertise on this and so many other resolutions. We are so grateful for them.

Mr. HONDA. Mr. Speaker, I rise today to express my distress over anti-secession legislation recently passed by the National People's Congress of the People's Republic of China (PRC). The new law reaffirms the PRC's sovereignty over Taiwan and threatens peaceful and non-peaceful means to defend its "One China" policy. In passing this law, the PRC imperils the status quo and durability of the delicate cross-strait truce that has been established.

The United States has consistently maintained that differences between Taipei and Beijing should be resolved diplomatically and with the full involvement of the people of Taiwan and China. I subscribe to this position and the view that the status quo must be preserved until a peaceful resolution can be achieved. The anti-secession law disturbs the status quo and creates and unnecessarily tense situation that may lead to an escalation of hostilities.

While the anti-secession law may have originated as a reaction to political rhetoric in Taiwan, the Taiwanese government supports the status quo, further obviating the need for the anti-secession law. The new law also seems at odds with recent positive developments between China and Taiwan that seem to signal closer relations. For example, direct flights between Taiwan and mainland China were initiated during the Chinese New Year holidays and two senior representatives from the People's Republic of China attended the memorial services for Koo Chen-fu who was instrumental in moving cross-strait dialogue forward 10 years ago.

Mr. Speaker, in light of these positive events, it is unfortunate that the PRC has chosen to take a step backwards in the effort to improve cross-strait relations. The anti-secession law has made it necessary for us today to pass this resolution, which expresses the Congress' grave concern that China is estab-

lishing legal justification for the use of force against Taiwan. The resolution rightly urges U.S. officials, through appropriate diplomatic channels, to express our nation's grave concern to the PRC, and it reaffirms U.S. support for fostering cross-strait dialogue in an effort to resolve this international issue peacefully.

Ms. SOLIS. Mr. Speaker, I rise today in support of the resolution, House Concurrent Resolution 98, which expresses the concern of the U.S. House of Representatives regarding China's Anti-Secession Law. This misguided law effectively authorizes use of military force against Taiwan if Taiwan moves toward formal independence.

I believe the anti-secession law is a dangerous and unnecessary escalation of tensions between China and Taiwan. The future of Taiwan should be resolved by peaceful means and with the consent of the people of Taiwan. The United States should continue to encourage dialogue between Taiwan and China. In today's world, we should strive to ensure peace, liberty and democracy. I am proud to join my colleagues in support of this resolution.

Mr. SMITH of New Jersey. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 98.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. LANTOS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

EXPRESSING CONCERN REGARDING VIOLATION OF HUMAN RIGHTS BY SYRIA

Mr. SMITH of New Jersey. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 18) expressing the grave concern of Congress regarding the continuing gross violations of human rights and civil liberties of the Syrian and Lebanese people by the Government of the Syrian Arab Republic, as amended.

The Clerk read as follows:

H. CON. RES. 18

Whereas the Syrian Arab Republic is governed by an authoritarian regime which continues to commit serious human rights abuses, including the use of torture and arbitrary arrest and detention;

Whereas the Department of State's Country Reports on Human Rights Practices for 2004 states that Syria's "human rights record remained poor, and the Government continued to commit numerous, serious abuses", the government "significantly restricts freedom of speech and of the press", "freedom of assembly does not exist under the law", and "the Government restricted freedom of association";